

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,
Plaintiff,

 V_1

FRANCOISE NGELE BUNDU,
Defendant.

Docket No.: 05-01076-JGD

DEFENDANT'S EMERGENCY (ASSENTED TO) MOTION
TO MODIFY THE LOCATION OF HOME INCARCERATION

Now comes the Defendant, Francoise Bundu, and hereby requests that this Court modify the location of her home incarceration, from 40 Upton Road, Westborough, MA 01851, to 1 Kimball Court, Apt #503, Woburn, MA 01801. In support of this motion the Defendant respectfully submits the following.

- 1) The Defendant stands charged via a criminal complaint of one count of international parental kidnapping, in violation of 18 U.S.C. §1204.
- 2) After conducting a detention and probable cause hearing on April 25, 26, and 27, 2005, this Court issued an Order Setting Conditions of Release on May 3, 2005. Among the conditions of release, *inter alia*, the Defendant is under home incarceration, including electronic monitoring, at 40 Upton Road, Westborough, MA 01851.
- 3) As part of the ongoing Middlesex Probate Court case involving the custody of the two minor children, Ms. Bundu had been instructed by her probate counsel to seek a residence closer to the children's father's residence in Cambridge. In order to permit her to do so, on or about May 31, 2005, the Defendant filed a Motion to Modify the Conditions of Pretrial Release to,

inter alia, permit her to seek her own residence closer to the children's father's residence in Cambridge, which was allowed by this Court.

- 4) The Defendant has, with the prior approval of pretrial services, been actively seeking such a residence, and has now succeeded in locating such a residence, at 1 Kimball Court, Apt #503, Woburn, MA 01801.
- 5) If permitted by this Court, the Defendant could move into said apartment on Thursday, July 14, 2005.
- 6) The Defendant's supervising pretrial services officer, Chris Wylie, is in agreement with the requested modification as to the location of home incarceration.
- 7) In light of the above, the Government, through Assistant U.S. Attorney Donald Cabell, also assents to the requested modification as to the location of home incarceration.
- 8) All of the other previously ordered conditions of release, as modified, would remain in full force and effect.

WHEREFORE, the Defendant respectfully requests that this Honorable Court modify the location of her home incarceration, from 40 Upton Road, Westborough, MA 01851, to 1 Kimball Court, Apt #503, Woburn, MA 01801, effective Thursday, July 14, 2005.

Respectfully submitted,
Francoise Bundu,
Defendant,
By her attorney,



John P. Puleo, BBO #555849
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CERTIFICATE OF SERVICE

I, John P. Puleo, hereby certify that on the 12 day of July, 2005, I served a true copy of the above documents upon the Plaintiff, via facsimile and first class mail, postage pre-paid, to:

Donald L. Cabell
United States Attorney's Office
1 Courthouse Way
Boston, MA 02210



John P. Puleo